

EXHIBIT A

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DONNA MATHEWS - April 3, 2008

Page 1

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

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5 DONNA MATHEWS,

6 Plaintiff,

7 vs. CASE No.: C 07-02757 SBA

8 PAN AMERICAN LIFE INSURANCE
9 COMPANY; and DOE 1 through
DOE 20, inclusive,

10 Defendants.

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13 DEPOSITION OF DONNA MATHEWS

14 OAKLAND, CALIFORNIA

15 APRIL 3, 2008

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20 ATKINSON-BAKER, INC.

21 COURT REPORTERS

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24 REPORTED BY: LINDA ELLINGSON, CSR No. 12256

25 FILE NO.: A202B4A

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1 go to any sort of therapist to study your physical Page 56
2 capacity, your range of motion, anything like that? 11:53

3 A. No. 11:54

4 Q. Did anybody examine you or interview you in 11:54
5 connection with the Department of Rehabilitation to 11:54
6 determine whether you would be able to perform the 11:54
7 physical duties of a nurse? 11:54

8 A. No. 11:54

9 Q. Did anyone at the Department of 11:54
10 Rehabilitation, you know, ask you about that issue about 11:54
11 whether you would be physically able to perform the 11:54
12 duties of a nurse? 11:54

13 A. Yes. 11:54

14 Q. And how did that come about? 11:54

15 A. She asked me the question, "Do I think I could 11:54
16 do the duties of a nurse?" And she asked me to do 11:54
17 research. And I contacted two people on ski patrol that 11:54
18 were nurses and I wrote something about their job 11:54
19 descriptions and submitted that. 11:55

20 Q. And was this Ms. Spiekerman who asked you to 11:55
21 do that research? 11:55

22 A. Yes. 11:55

23 Q. Do you recall the names of the people on ski 11:55
24 patrol you discussed this with? 11:55

25 A. Tony Jennings and Jeremy Velstra and Sue 11:55

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1 DeMars. And Nancy Machatto was not on ski patrol, she	11:55
2 was a dental patient.	11:55
3 Q. And they're all in nursing?	11:55
4 A. Yes.	11:55
5 Q. Do you remember any specifics of what they	11:55
6 told you about?	11:55
7 A. Tony Jennings said that he carries a briefcase	11:56
8 and makes house calls, other specifics. Nancy Machatto	11:56
9 said that there are lift teams and that if I don't have	11:56
10 a bachelor's degree that my opportunities would be	11:56
11 limited.	11:56
12 Q. And then did you write this information down	11:56
13 and submit it to Ms. Spiekerman?	11:56
14 A. I don't remember.	11:56
15 Q. Did you -- do you recall if any of this	11:56
16 information was ever reduced to writing?	11:56
17 A. I don't remember.	11:56
18 Q. Once you were approved for a rehabilitation	11:57
19 with the Department of Rehabilitation were you required	11:57
20 to come up with any sort of plan?	11:57
21 A. Well, they approved me for nursing so I	11:57
22 applied to nursing. So that was the plan.	11:57
23 Q. Was there a written program or a written plan	11:57
24 that you had set out explaining what you are going to do	11:57
25 and how this was going to work?	11:57

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1 A. Not that I recall. 11:58

2 Q. Do you recall anyone at the Department of 11:58

3 Rehabilitation providing you a copy of a rehabilitation 11:58

4 plan? 11:58

5 A. I guess I don't really understand what a 11:58

6 rehabilitation plan is. 11:58

7 Q. Okay. Well, then speak more generally. Do 11:58

8 you recall getting a document from the Department of 11:58

9 Rehabilitation setting out what they would pay for? 11:58

10 A. I don't recall. 11:58

11 Q. Okay. Do you recall getting a document from 11:58

12 the Department of Rehabilitation sort of laying out what 11:58

13 courses they -- or what educational work they expected 11:58

14 you to take as part of your rehabilitation? 11:59

15 A. Could you repeat? 11:59

16 Q. Sure. Did you -- do you recall getting a 11:59

17 document from the Department of Rehabilitation laying 11:59

18 out, here's what you are going to do between now and, 11:59

19 you know, 2010 or 2011 to get into a career in nursing? 11:59

20 Something like that? Anything like that? 11:59

21 A. Well, they wouldn't tell me. I would tell 11:59

22 them what's required. And so I don't recall them 11:59

23 telling me what I had to do. I would have explained to 11:59

24 them this is what's required from me to become a nurse. 11:59

25 Q. Okay. And as you explained that to them they 11:59

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1	said that at least to the tuition component that the	Page 59 11:59
2	Department of Rehabilitation would pay for that?	12:00
3	A. When I was accepted, yes.	12:00
4	Q. Okay. Did -- in your discussions with the	12:00
5	Department of Rehabilitation did they identify -- did	12:00
6	you discuss any particular schools that they would not	12:00
7	pay tuition for?	12:00
8	A. Yes. They said they would not pay for Pacific	12:00
9	Union College, which is ten minutes from my house, a	12:00
10	highly regarded university that I would have preferred	12:00
11	to go to, but it was too expensive. They wouldn't pay	12:00
12	for it.	12:00
13	Q. Was there any other colleges?	12:00
14	A. Well, I had to encourage shall I say. I had	12:00
15	to sort of fight for the -- for them to consider Sonoma	12:00
16	State because of the bachelor's. Because she said --	12:01
17	Lori Spiekerman said it's virtually unheard of for the	12:01
18	State of California to pay for Sonoma State when I could	12:01
19	have gotten the same education at Santa Rosa JC so I had	12:01
20	to make a case for just going to Sonoma State.	12:01
21	Q. And how did you make that case? Did you put	12:01
22	anything in writing? Did you submit anything?	12:01
23	A. I don't know if it was in writing or if Lori	12:01
24	and I had that discussion and she put in the paperwork.	12:01
25	Because I do remember her saying, "Would you like me to	12:01

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1 REPORTER'S CERTIFICATION OF CERTIFIED COPY

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5 I, LINDA ELLINGSON, CSR NO. 12256, a Certified
6 Shorthand Reporter in the State of California, certify
7 that the foregoing pages _____ through _____, constitute
8 a true and correct copy of the original deposition of
9 _____, taken on _____,
10 2008.

11 I declare under penalty of perjury under the
12 laws of the State of California that the foregoing is
13 true and correct.

14

15 Dated this _____ day of _____,
16 2008.

17

18

19

20 Linda Ellingson, CSR No. 12256

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1 CERTIFICATION

2 I, the undersigned, a Certified Shorthand
3 Reporter in the State of California, hereby certify that
4 the witness in the foregoing deposition was by me duly
5 sworn to testify to the truth, the whole truth, and
6 nothing but the truth in the within-entitled cause; that
7 said deposition was taken at the time and place therein
8 stated; that the testimony of said witness was reported
9 by me, a Certified Shorthand Reporter and a
10 disinterested person, and was thereafter transcribed
11 under my direction into typewriting; that the foregoing
12 is a full, complete and true record of said testimony;
13 and that the witness was given an opportunity to read
14 and, if necessary, correct said deposition and to
15 subscribe the same.

16 I further certify that I am not of counsel or
17 attorney for either or any of the parties in the
18 foregoing deposition and caption named, nor in any way
19 interested in the outcome of the cause named in said
20 action.

21 IN WITNESS WHEREOF, I have hereunto set my
22 hand this _____ day of _____, 2008.
23
24 _____
25

LINDA ELLINGSON, CSR No. 12256